

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION**

**ERIE INSURANCE PROPERTY
& CASUALTY COMPANY,**

Petitioner,

v.

Civil Action No.: 5:22-CV-00560

CRAB ORCHARD PHARMACY, INC.

Respondent.

AGREED ORDER OF DISMISSAL

This day came Erie Insurance Property & Casualty Company, Petitioner, by counsel, and Defendant, Crab Orchard Pharmacy, Inc., by counsel, advising the Court that they have agreed to dismiss the above action, without prejudice, with both parties to bear their own costs. This is due to the fact that the underlying litigation which forms the basis of this declaratory judgment action has been dismissed. The parties accordingly move the Court to dismiss this civil action, without prejudice.

The Court, for good cause shown, is of the opinion to grant said motion and does hereby ORDER that this action is hereby dismissed, without prejudice, and stricken from the docket of the Court.

The Clerk of the Court is hereby directed to send a certified copy of this Order to counsel of record.

ENTER:

Judge Frank W. Volk

AGREED TO BY:

/s/Matthew J. Perry

Matthew J. Perry, Esq. 8589

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